

109TH CONGRESS
1ST SESSION

H. R. 4289

To promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2005

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “HIPAA Recreational
5 Injury Technical Correction Act”.

1 **SEC. 2. COVERAGE AMENDMENTS.**

2 (a) ERISA.—Section 702(a)(3) of the Employee Re-
3 tirement Income Security Act of 1974 (29 U.S.C.
4 1182(a)(3)) is amended—

5 (1) by striking “CONSTRUCTION.—For” and in-
6 serting the following: “SCOPE.—

7 “(A) WAITING PERIODS.—For”; and

8 (2) by adding at the end the following:

9 “(B) LIMITATION ON DENIAL OF BENE-
10 FITS.—For purposes of paragraph (2), a group
11 health plan, or a health insurance issuer offer-
12 ing group health insurance coverage in connec-
13 tion with a group health plan, may not deny
14 benefits otherwise provided under the plan or
15 coverage for the treatment of an injury solely
16 because such injury resulted from the participa-
17 tion of the individual in a legal mode of trans-
18 portation or a legal recreational activity.”.

19 (b) PHSA.—Section 2702(a)(3) of the Public Health
20 Service Act (42 U.S.C. 300gg–1(a)(3)) is amended—

21 (1) by striking “CONSTRUCTION.—For” and in-
22 serting the following: “SCOPE.—

23 “(A) WAITING PERIODS.—For”; and

24 (2) by adding at the end the following:

25 “(B) LIMITATION ON DENIAL OF BENE-
26 FITS.—For purposes of paragraph (2), a group

1 health plan, or a health insurance issuer offer-
2 ing group health insurance coverage in connec-
3 tion with a group health plan, may not deny
4 benefits otherwise provided under the plan or
5 coverage for the treatment of an injury solely
6 because such injury resulted from the participa-
7 tion of the individual in a legal mode of trans-
8 portation or a legal recreational activity.”.

9 (c) INTERNAL REVENUE CODE.—Section 9802(a)(3)
10 of the Internal Revenue Code of 1986 is amended—

11 (1) by striking “CONSTRUCTION.—For” and in-
12 serting the following: “SCOPE.—

13 “(A) WAITING PERIODS.—For”; and

14 (2) by adding at the end the following:

15 “(B) LIMITATION ON DENIAL OF BENE-
16 FITS.—For purposes of paragraph (2), a group
17 health plan may not deny benefits otherwise
18 provided under the plan for the treatment of an
19 injury solely because such injury resulted from
20 the participation of the individual in a legal
21 mode of transportation or a legal recreational
22 activity.”.

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